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PATENT
Attorney Docket 047763-5010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Carol Morris *et al.***

Application No. **09/367,009**

Filed: **November 8, 1999**

For: **Diagnosis of Disease Using Tears**

Group Art Unit: **1642**

Examiner: **Minh Tam B. Davis**

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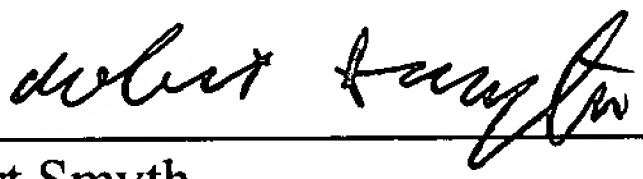
- Transmitted herewith is a Response Under 37 C.F.R. 1.116 in response to the Office Action dated July 2, 2003.
- Additional Papers Filed:
(i) Certified copy of Australian Patent Application PO 5009.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a one-month extension of time from October 2, 2003 to November 2, 2003, the fee for which is **\$110.00** as set out in 37 C.F.R. 1.17(a). This response is being filed under the next business day rule on Monday, November 3, 2003 as the due date for responding fell on a weekend (Sunday, November 2, 2003). If Applicants have inadvertently overlooked the need for an extension of time, please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	25	minus	25	0	\$18 each=	0.00
Independent Claims	2	minus	4	0	\$86 each=	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
SUB-TOTAL =						0.00
Reduction by 1/2 for filing by a small entity						0.00
TOTAL FEE =						\$0.00

5. Fee Payment: The Commissioner is hereby authorized to charge **\$110.00** to Deposit Account No. 50-0310 for payment of the one-month extension of time fee.
6. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 3, 2003**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP



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